

SENATE BILL REPORT

SB 6022

As of February 23, 2009

Title: An act relating to allocating responsibility for court-related costs related to certain civil commitment proceedings under chapter 71.05 RCW.

Brief Description: Allocating responsibility for court-related costs related to certain civil commitment proceedings under chapter 71.05 RCW.

Sponsors: Senators King and Marr.

Brief History:

Committee Activity: Human Services & Corrections: 2/19/09.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Staff: Kevin Black (786-7747)

Background: The Involuntary Treatment Act allows for a person with a mental disorder to be detained for up to 72 hours at a secure evaluation and treatment facility, if a designated mental health professional alleges that the person meets civil commitment criteria. Upon detention, a civil commitment petition is filed with the superior court, and a probable cause hearing is held in order to determine whether the person may be detained for an additional 14 days of involuntary mental health treatment. Before the conclusion of this treatment period, a further petition may be filed for an additional 90 days of involuntary mental health treatment. The detained person may contest this petition by means of a bench trial or jury trial.

There are a limited number of evaluation and treatment facilities in Washington which accept patients for involuntary civil commitment. In some areas of the state, one evaluation and treatment facility may serve a large geographic area consisting of multiple counties. An evaluation and treatment center may also serve an out-of-county patient when a patient who resides in another county is detained inside the county, or when a shortage of evaluation and treatment beds causes local evaluation and treatment beds to become temporarily unavailable in another county.

Summary of Bill: When a person is detained for civil commitment in a county other than the person's county of residence, the court-related costs of the civil commitment must be

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borne by the person's county of residence, or the regional support network serving that county.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Because of a statewide shortage of evaluation and treatment facilities, counties from all over the state send patients to Memorial Hospital in Yakima, and other similar facilities. The county court is responsible for processing cases for all of those cases from outside the county, which puts a strain on local budgets. There are only three evaluation and treatment facilities east of the Cascade mountains. This problem has increased with the growth of population, and consequently, hospital stays get shorter and care can be compromised. Yakima county has spent \$850,000 processing cases of patients from outside the county. When other counties are asked to contribute their fair share, few of them respond. We want to continue providing services, but for counties to be responsible for costs relating to their own population.

OTHER: We don't want a systemic problem with cost allocation to negatively impact services for persons with mental illness or to create further trauma.

Persons Testifying: PRO: Senator King, prime sponsor; Karla Gray, Yakima Valley Memorial Hospital; Steve Hill, Yakima Superior Court; Harold Delia, Yakima County Human Services.

OTHER: Seth Dawson, National Alliance on Mental Illness.